

## **Rule 2002-1 [Amended]**

### **NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES**

(a) ***Mailing of Notice.*** The Clerk may require the debtor, the trustee, or other party in interest filing a petition, a complaint, an objection, or other pleading for which a notice may be required to prepare and mail such notice as the Court may designate and to file with the Clerk proof of service in accordance with the provisions of Local Rule 7005-1.

(b) ***Notices in Chapter 11 Cases in Which Committees Have Been Appointed.*** Pursuant to Fed. R. Bankr. P. 2002(i), unless otherwise ordered by the Court, the notices required by Fed. R. Bankr. P. 2002(a)(2), (3), and (6) may be delivered only to the parties on the Local Rule 1007-2 Parties in Interest List.

(c) ***Notices in Chapter 7 Cases.*** In Chapter 7 cases, pursuant to Fed. R. Bankr. P. 2002(h) and absent order of the Court to the contrary, after 90 days following the first date set for the meeting of creditors under 11 U.S.C. § 341, all notices required by Fed. R. Bankr. P. 2002(a) need only be served upon the debtor, the trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed, and creditors, if any, that are still permitted to file claims by reason of an extension granted pursuant to Fed. R. Bankr. P. 3001(c)(1) or (c)(2).

(d) ***Request for Notice.*** Any party in interest, upon filing with the Clerk a request for notice pursuant to Fed. R. Bankr. P. 2002(g), shall be placed on the Local Rule 1007-2 Parties in Interest List and thereafter receive copies of all notices, orders, and other pleadings that are served on the parties listed on the Local Rule 1007-2 Parties in Interest List. The request for notices shall be served on the trustee or debtor-in-possession, as appropriate.

(e) ***Form of Notice.*** Notices shall be in such form as may be directed by the Clerk or as may be ordered by the Court.

(f) ***Notices Generally.*** Notices served by the Clerk are generally mailed by the Bankruptcy Noticing Center ("BNC"). In accordance with 11 U.S.C. § 521 and Fed. R. Bankr. P. 1007, the debtor shall file with the Clerk a list containing the name and address of each creditor for the purpose of providing notice of the bankruptcy filing and other matters to creditors.

(g) ***Return Address Required.*** Envelopes containing notices or orders served by BNC, or served by the debtor's attorney or the debtor if the debtor is acting *pro se*, shall bear the return address of the debtor's attorney or the *pro se* debtor.

(h) ***Returned Notices.*** Upon receipt of a returned notice or order by the debtor's attorney or by the *pro se* debtor, the debtor's attorney or the *pro se* debtor shall immediately determine the correct address of the creditor and mail a copy of the returned notice or order to the creditor, and shall promptly thereafter file proof of such service with the Clerk. The debtor's

attorney or the *pro se* debtor shall also immediately file with the Clerk a notice of the corrected address for the creditor.

(i) ***Service of Orders.*** If the Court directs an attorney for a party to serve an order, it shall be served within three days of its having been entered by the Court, and the attorney shall thereafter promptly file a proof of such service in accordance with the provisions of Local Rule 7005-1.

(j) ***Notices as Directed by the Court.*** If a party is authorized by the Federal Rules of Bankruptcy Procedure, Local Rule, or order of the Court to give notice of a hearing or the time in which an objection or request for hearing is required, such notice shall be on the face of the first page of such notice, pleading, or other paper.

(k) ***Administrative Expense.*** The cost or expense incurred in providing such notices and related services may be an administrative expense to be paid or reimbursed pursuant to 11 U.S.C. § 503(a).

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### ***Notes of Advisory Committee***

#### ***2013 Amendment***

This amendment limits service of notices required by Fed. R. Bankr. P. 2002(a), after 90 days following the first date set for the meeting of creditors, to the debtor, the trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed, and creditors, if any, that are still permitted to file claims by reason of an extension granted pursuant to Fed. R. Bankr. P. 3001(c)(1) or (c)(2).

#### ***2012 Amendment***

This amendment incorporates archived Administrative Order FLMB-2003-1 “General Order Regarding the Return Address of Notices and Orders Mailed by the Bankruptcy Noticing Center.” The addition of headings and subheadings is intended to be a stylistic rather than substantive change.

This amendment is effective March 15, 2012.

#### ***2004 Amendment***

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation. This amendment, 2002-1(a), recognizes that the Clerk may more expeditiously give notice to creditors or parties in interest through the Bankruptcy Noticing Center (BNC). For practical purposes, only when the Clerk cannot reasonably process notices through BNC, would the Clerk request the moving party to send notice to creditors or other parties in interest.

This amendment, 2002-1(d), adds a provision permitting Electronic Filing Users the ability to complete service of pleadings by electronic means.

#### ***1997 Amendment***

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment was effective on April 15, 1997.

Paragraph (a) of this rule was formerly Local Rule 3.03. Paragraphs (b) through (g) of this rule were formerly paragraphs (b) through (f) and (h) of Local Rule 2.19. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

#### ***1995 Amendment***

This rule is amended to substitute the term “proof of service” for “certificate of service” as required by amended Rule 2.19(a). The provisions as to the content of the proof and the time for filing the proof are deleted because those subjects are now contained in amended rule 2.19(a).

These amendments were effective on February 15, 1995.